

**Gibson, Diane L.**

---

**From:** Jeff Caufield [Jeff@caufieldjames.com]  
**Sent:** Thursday, May 31, 2007 3:35 PM  
**To:** John Edgcomb; Wilms, Nancy M.; Timothy C. Cronin; dlyon@crolaw.com  
**Cc:** Amber Hinojosa; Ken James; David Griffin; Gibson, Diane L.  
**Subject:** FW: Angeles - SSD Ruling from Judge Laporte  
**Attachments:** show\_case\_doc.pdf

Dear Counsel:

Please find attached a ruling today from Judge Laporte against SSD.

Very truly yours,

Jeffery L. Caufield  
Caufield James LLP

6/6/2007

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANGELES CHEMICAL COMPANY, INC.,

Plaintiff,

v.

MCKESSON CORPORATION,

Defendant.

No. C-06-80343 Misc. MMC (EDL)  
No. C-07-80123 Misc. MMC (EDL)

**ORDER RE MOTION TO COMPEL  
COMPLIANCE WITH MARCH 22, 2007  
ORDER**

Before the Court is Angeles' Motion to Compel third party Squire, Sanders & Dempsey LLP's ("SSD") to comply with this Court's March 22, 2007 Order compelling production of documents, including indexes revealing which documents Defendant McKesson produced to SSD's predecessor, Graham & James, and transmittal letters indicating where the McKesson documents were later sent. See March 22, 2007 Order. Angeles asks the Court to compel certain documents on SSD's privilege log, which Angeles believes to be nonprivileged documents covered by the Court's March 22, 2007 Order compelling production. SSD has offered to produce the documents in camera, and/or to provide the relevant, nonprivileged information contained in the documents, while still withholding the privileged documents themselves. The Court has fully reviewed the parties' submissions and finds this matter appropriate for a decision without a hearing. Therefore, the Court hereby VACATES the June 6, 2007 hearing and ORDERS as follows:

1. SSD is ordered to produce the documents at issue in camera for the Court's inspection, on or before June 6, 2007, labeled in accordance with the privilege log entry number.

//

- 1           2.     For those documents as to which the Court upholds SSD's assertion of privilege,  
2           SSD shall create a separate index of the documents identified in the privileged  
3           document, including information identifying the document, its source, and its  
4           disposition (e.g., sent to storage, returned to client, or other). The index shall be in  
5           alphabetical order by document title or document type and (when available) by date.  
6           3.     For those documents as to which the Court finds that SSD's assertion of privilege was  
7           unjustified or overinclusive, the Court will order production of the document, in  
8           whole or in part, to the parties.

9           Within 5 days of the Court's subsequent Order on Nos. 3 and 4, SSD shall produce the  
10          documents in question to the parties.

11       **IT IS SO ORDERED.**

12  
13       Dated: May 31, 2007

*Elizabeth D. Laporte*  
\_\_\_\_\_  
ELIZABETH D. LAPORTE  
United States Magistrate Judge